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**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY
TRENTON VICINAGE**

SAM HARGROVE, ANDRE HALL,
MARCO EUSEBIO, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

SLEEPY'S LLC,

Defendant.

Civil Action No.:3:10-cv-01138-JAP-LHG

CLASS ACTION

**NOTICE OF PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT
DECLARING INDEMNIFICATION CLAUSE TO BE VOID UNDER NEW JERSEY
LAW**

TO: Matt Hank, Esquire
Littler Mendelson
Three Parkway
Suite 1400
1601 Cherry Street
Philadelphia PA 19102
Attorney for Defendant

PLEASE TAKE NOTICE that the undersigned counsel for Plaintiffs hereby move before The United States District Court for the District of New Jersey, Trenton Vicinage, for an Order granting Plaintiffs' motion for partial summary judgment on the issue of the non-enforceability of the purported indemnification agreement. In support of said Motion, Plaintiffs will rely on the

attached Memorandum of Law and Declaration of Anthony L. Marchetti, Jr. filed and served with this motion.

Dated: May 23, 2011

/s/ ALM
Anthony L. Marchetti, Jr. (AM4302)

